

Brian Carr, Assistant Regional Council
Office of Regional Council
290 Broadway, 17th Floor
New York, NY 10007-1866

September 22, 2014

Comments: Gowanus Canal Superfund Site, Brooklyn, NY
Index Nos. CERCLA-02-2014-2004

1. Extension of Settlement Agreement Comment Period

Christos Tsiamis recommended that the CAG Archaeology Committee be considered as the Consulting Party, in order to formally serve in the role of a Consulting Party group. The Consulting Party group will then work to implement the regulations of NHPA, in accordance with Section 106, as promulgated by the Federal Advisory Council On Historic Preservation.

Therefore, on behalf of Friends and Residents Of Greater Gowanus (FROGG), I am requesting that the comment period for the proposed agreement with Lightstone:

SETTLEMENT AGREEMENT AND ORDER ON CONSENT FOR REMOVAL ACTION BY BONA FIDE PROSPECTIVE PURCHASER

be extended for sixty days, in order to fully engage the proposed agreement with the CAG Archaeology Committee as the Consulting Party.

2. Archaeological Dig Request

As a reminder, Section 14.09 of the State Historic Preservation Act and Section 106 of the National Historic Preservation Act state that if a project has State or Federal involvement, it is the responsibility of The Advisory Council On Historic Preservation to consult with the SHPO and the LPC, in accordance with their laws (please see *What is Section 106 Review*, which is appended below).

According to page 7, Article 24, of the above agreement: "In 2004, The U.S. Army Corps of Engineers issued a cultural resources report for the Site developed as part of its ecosystem restoration study pursuant to the Clean Water Act, which determined that the bulkheads were eligible for listing on the National Register of Historic Sites." Article 24 continues with the following: "Should the bulkheads be subject to adverse effects as a result of cleanup actions, a wide range of mitigating measures could be implemented as part of the remedy . . . appropriate measures would likely include additional documentation of bulkhead characteristics and the incorporation of archaeological and architectural investigations."

FROGG believes that due to the historic importance of the Lightstone site, an archaeological dig in the vicinity of the bulkheads *should* be undertaken. FROGG is also requesting that EPA coordinate with the Army Corp, SHPO and LPC to ensure compliance with the applicable regulatory requirements for bulkhead work (please see

the excerpts below from the Hunter Research: *Archaeological Study: Gowanus Canal*, which provides documentation on the historical importance of the Lightstone site, and the Louis Berger Group, Inc.: *phase 1a, Cultural Resource Assessment, Gowanus Canal Corridor*, pp 237, 239, and Environmental Review LPC).

FROGG requests that under the NHPA Section 106, USEPA is required to consult with SHPO to review the proposed plan by Lightstone, in order to determine if the proposed plan is appropriate for the archaeology and historic resources, and the possibility whether any archaeological resources are disturbed. According to 36 CFR 88.2, USEPA is required to involve consulting parties (which will include the CAG Archaeology Committee) in the review of CRS documents, and in the findings determine whether the proposed plan includes the CRS process. The consulting parties will be proposed in a memorandum submitted to USEPA prior to the Stage 1A report.

FROGG was not able to find a cultural resources survey by the Advisory Council on Historic Preservation for the Gowanus Canal Corridor.

In accordance with Section 106 of the NHPA, and based on the fact that the Lightstone Project design has changed, it is FROGG's belief that the SHPO and the LPC require further consultation concerning the changed Project design.

Appended below are the following references to this request:

SHPO letter, dated June 10, 2013,
SHPO letter, dated August 7, 2008,
FEIS, 2009, p. 19

Carroll Street Bridge Operator House

According to the Technical Policy and Procedure Notice #10/88, of the NYC Dept. of Buildings, procedures for the avoidance of damage to historic structures resulting from adjacent construction must be provided. To date, Lightstone has not provided any protection to avoid damage to the adjacent, land marked Carroll Street Bridge and the Carroll Street Bridge Operator House.

First Street Basin

The 1st Street grade from the corner of Bond and 1st Streets currently tapers to the Canal; this allows a visual connection to the water from that perspective. Once the Superfund cleanout of the 1st Street Basin takes place across the canal, this vista will become even more of a visual connection to the Canal.

Lightstone is requesting EPA approval to elevate the end of 1st Street, where a turn-around drive is planned, to an elevation of about a foot higher than the intersection of Bond and 1st.

This will take away from the public, a physical and visual access to the water way and the planned, restored 1st Street Basin.

FROGG also believes the Public Trust Doctrine protects our rights to protect our environment, that is "we the people own our tidal river, wetlands and bays" says that no private property owner can legally take away our right to access these waters and shores for the purpose of boating, fishing, swimming or other traditional forms of recreation. It also says that it is our government's responsibility to act as trustees, to protect these watery natural resources so we can enjoy them freely. Making such changes to the view shed of the 1st Street basin violates the public purpose without paying just compensation. The government (through EPA approval of the Lightstone plan to raise the end of 1st Street) cannot take from the public full access (that is, visual access: the view to the Canal and the 1st Street Basin) to the natural resources for the benefit of the greatest number of people.

Respectfully,

A handwritten signature in cursive script, reading "Linda Mariano". The signature is written in dark ink and is positioned below the word "Respectfully,".

Linda Mariano for Friends and Residents Of the Greater Gowanus (FROGG)



David A. Paterson
Governor

Carol Ash
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

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518-237-8643

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August 7, 2008

Molly McDonald, RPA
AKRF
440 Park Avenue South
New York, NY 10016

Re: CORPS
Toll Brothers Gowanus Canal
Kings County
08PR02257

Dear Ms. McDonald:

Thank you for providing the additional information requested for the proposed Toll Brothers project in Brooklyn. We have continued to review the project in accordance with Section 106 of the National Historic Preservation Act of 1966 and the relevant implementing regulations.

Our Architectural Historian, Kathy Howe, has reviewed Attachment A: Architectural Resources in the Secondary Study Area and Attachment B: Descriptions and Histories of Project Site Buildings. Her National Register Comments are attached for your use. Our Archeologist, Douglas Mackey, has no additional comments as the submission addresses our prior questions on archeology.

Based upon our review of the entire project, it is the opinion of the State Historic Preservation Office (SHPO) that the project will have No Adverse Effect upon historic resources provided the following conditions are met:

1. An unanticipated archeological discovery protocol will be put in place. The protocol shall be reviewed and approved by our office prior to construction.
2. A protocol for the discovery of human remains shall be put in place. The protocol shall be reviewed and approved by our office prior to construction.
3. A construction protection plan will be put in place to protect the historic Carroll Street Bridge, 59-97 Second Street and any other historic resources within 90 feet of the construction site. The plans shall be submitted for our review and comment.
4. Plans and specifications for bulkhead stabilization shall be developed in consultation with our office. Plans shall be submitted at a minimum at the preliminary and pre-final stages for our review and comment.
5. Consultation shall continue regarding the landscape design along the historic Gowanus Canal. This shall include the opportunity to comment, at a minimum, on development and pre-final designs.

If you have any questions, I can be reached at (518) 237-8643, ext. 3282. Please refer to the Project Review (PR) number in any future correspondences regarding this project.

Sincerely,

Beth A. Cumming *BAC*
Historic Site Restoration Coordinator
e-mail: Beth.cumming@oprhp.state.ny.us

enc: NR Comments



New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

10 June 2013

Mr. Dennis Freed
Lightstone Group, LLC
460 Park Avenue, 13th Floor
New York, NY 10022

Re: CORPS PERMITS
363-365 Bond Street Redevelopment
Brooklyn, Kings County
08PR02257

Dear Mr. Freed:

The State Historic Preservation Office (SHPO) has reviewed the information submitted for this project (*Gowanus Canal Bulkhead and Cribbing Documentation at Carroll Gardens, 365 Bond Street and 400 Carroll Street, Brooklyn, Kings County, New York*; dated April 2013; prepared by Langan Engineering, Environmental, Surveying, and Landscape Architecture, D.P.C.). Our review has been in accordance with Section 106 of the National Historic Preservation Act and relevant implementing regulations.

Based on the information provided, SHPO recommends that the planned project will have **No Adverse Effect** on historic properties listed or eligible for listing on the National Register of Historic Places. This recommendation pertains only to the Area of Potential Effects (APE) associated with the proposed installation of a new bulkhead structure along the canal, as described in the above-referenced report. It is not applicable to any other portion of the project property. Should the project design be changed SHPO recommends further consultation with this office.

These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

If you have any questions please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst – Archaeology Unit
Phone: 518-237-8643 x3276; FAX: 518-233-9049
Email: Philip.Perazio@parks.ny.gov

Cc: Amanda Sutphin, LPC (via email)
Lynn Rakos, USACOE (via email)
Michael Audin, Langan Engineering (via email)

What is Section 106 Review?

In the National Historic Preservation Act of 1966 (NHPA), Congress established a comprehensive program to preserve the historical and cultural foundations of the nation as a living part of community life. Section 106 of the NHPA is crucial to that program because it requires consideration of historic preservation in the multitude of projects with federal involvement that take place across the nation every day.

Section 106 requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. Additionally, federal agencies must provide the ACHP an opportunity to comment on such projects prior to the agency's decision on them.

Section 106 review encourages, but does not mandate, preservation. Sometimes there is no way for a needed project to proceed without harming historic properties. Section 106 review does ensure that preservation values are factored into federal agency planning and decisions. Because of Section 106, federal agencies must assume responsibility for the consequences of the projects they carry out, approve, or fund on historic properties and be publicly accountable for their decisions.

Conservation



The National Soldiers Monument (1877) at Dayton (Ohio) National Cemetery was cleaned and conserved in 2009 as part of a program funded by the American Recovery and Reinvestment Act. (photo courtesy Department of Veterans Affairs)

Understanding Section 106 Review

Regulations issued by the ACHP spell out the Section 106 review process, specifying actions federal agencies must take to meet their legal obligations. The regulations are published in the Code of Federal Regulations at 36 CFR Part 800, "Protection of Historic Properties," and can be found on the ACHP's Web site at www.achp.gov.

Federal agencies are responsible for initiating Section 106 review, most of which takes place between the agency and state and tribal or Native Hawaiian organization officials. Appointed by the governor, the State Historic Preservation Officer (SHPO) coordinates the state's historic preservation program and consults with agencies during Section 106 review.

Agencies also consult with officials of federally recognized Indian tribes when the projects have the potential to affect historic properties on tribal lands or historic properties of significance to such tribes located off tribal lands. Some tribes have officially designated Tribal Historic Preservation Officers (THPOs), while others designate representatives to consult with agencies as needed. In Hawaii, agencies consult with Native Hawaiian organizations (NHOs) when historic properties of religious and cultural significance to them may be affected.

To successfully complete Section 106 review, federal agencies must do the following:

- ▶ gather information to decide which properties in the area that may be affected by the project are listed, or are eligible for listing, in the National Register of Historic Places (referred to as "historic properties");
- ▶ determine how those historic properties might be affected;
- ▶ explore measures to avoid or reduce harm ("adverse effect") to historic properties; and
- ▶ reach agreement with the SHPO/THPO (and the ACHP in some cases) on such measures to resolve any adverse effects or, failing that, obtain advisory comments from the ACHP, which are sent to the head of the agency.

the heroic dead. Third avenue intersects the westerly end of the mound; and Seventh and Eighth streets indicate two of its sides.

The grade of these streets carries them much above the highest part of this burial mound; and now, far below the present surface, mingled with the remains of the servile sons of Africa whose burial ground it also was, lies the dust of those brave boys who found death easier than fight, and gave their lives to save their countrymen (Fields 1869: 202-203).

Field's description is too specific to be dismissed, but so far there is little independent evidence to corroborate that Van Brunt dug a mass grave as Field claimed. At the very least, it seems highly doubtful that there was a graveyard with over 200 bodies, but there may have been one with a smaller number. According to a *New York Times* article of May 26, 1998, Judith Giuriceo, curator of the Brooklyn Historical Society, conducted an archaeological dig that yielded nothing near the site in the 1950s. Specific information about this dig was not located during research for this study. The Landmarks Preservation Commission halted demolition activities after a fire at 426 Third Avenue in 1998 based on the concern that it might impact the supposed grave site (Williams 1998).

There has also been some persistent speculation that the "miniature island" burial ground mentioned by Field in 1869 may have been an island-like feature to the southeast of Denton's Mill, which would have placed the burials about 2nd Street between the canal and Third Avenue. The principal source of a second grave site appears to be a map produced by Georgia Fraser in her history of the Old Stone House, published in 1909 (Fraser 1909: 46). Other than being a small marshy island, this location identified by Fraser does not appear to be one-in-the-same as that described by Field since it is further north and was not part of Van Brunt's 34-acre farm property but

Denton's 17-acre mill property. The existence of a mass grave has so often been stated as fact that it is unlikely that the matter will be placed to rest without archaeological confirmation.

As part of the Battle of Brooklyn battlefield, the immediate Gowanus Canal Study Area needs to be treated as having the potential to yield archaeology associated with the battle. The areas of greatest potential based on documentary evidence are the corridors of retreat, the one over the mill lane at Gowanus Mill Neck and the one across the swamp to the south of Denton's Mill Pond (Figure 2.7). It seems possible that some remnants or traces of the buried battle landscape, deep within the fill surrounding the canal, in the form of the surfaces of ponds, ditches, mill dams, causeway, mill lane, and perhaps mill foundations themselves, could be identified through geomorphology or archaeology although questions of integrity under the National Register definitions would likely be considerable. In rural environments, such as at Princeton Battlefield in New Jersey, battle-action corridors have been shown to produce scattered archaeological evidence of military activity (uniform buttons, musket balls, etc.), but the probability is greatly diminished of such evidence being found in the heavily disturbed urban environment of Gowanus. This evidence would be presumed to lie below pre-canal ground surfaces, particularly in the Gowanus Mill Neck corridor, but it would be extremely lucky not to mention technically challenging to locate such scattered artifacts, which would be more than 12 feet under fill and below groundwater levels.

Context 5: Gowanus Canal Construction and Operation

The stupendous growth of Brooklyn beginning in the early decades of the 19th century heartened the souls of urban boosters and land speculators alike. As the city spread from its traditional center on the East River

ous across the site as well as with the layer that forms the bottom of the Canal. Sand silt and clay layers were noted below the meadow mat; however, none of these low-permeability layers appear to be continuous across the site. Bedrock is at approximately 180 feet below grade (AKRF 2001).

This assessment fits well within the historic map analysis and soil borings examined from other projects in the vicinity, which shows this property completely within the marshy creek edge. The Ratzer survey from 1766 shows this property at least 300 feet from the nearest section of stable land east of Second Avenue.

Phase II Environmental Brownfield Investigations of the 363-365 and 400 Carroll Street Sites

These three contiguous properties were examined as part of a series of remediations for Toll Brothers, Inc., which planned to develop the properties as one site for residential use (Figure 3.1) (Environmental Liability Management 2004b, 2005a, 2005b). The investigations included both environmental and cultural resource assessments. Soil borings and monitoring wells were excavated for the Phase II environmental investigations and, to our knowledge, have not been subjected to archaeological examination. The properties lie between Carroll Street, Bond Street, 2nd Street and the Gowanus Canal. The properties, which contain a series of industrial buildings and paved and unpaved parking lots, are higher at Bond Street and slope down between 5 and 10 feet to the canal, where they are approximately 10 feet above mean sea level. Historic map research places these properties within the marsh northwest of the point of land on which Denton's Mill and southwest of Brower's (Freeke's) Mill.

A total of 20 soil borings (observed by three different technicians), eight monitoring well installations, and six test pits were examined from all three properties. The profiles were largely consistent within each property, with variations resulting from the different surface elevations at the point of excavation. At 363 Bond Street layers of fill extended to a depth of between 6 and 15 feet beneath the ground surface where, in almost all cases, they overlay an organic, peaty layer (also referred to as the meadow-mat). This peaty layer was underlain by silty clay layers in the tests that extended deeper, although most of the borings, pits and wells were not excavated much deeper than 12 to 15 feet. Fewer borings contained "peat" at 365 Bond Street. Whether this is a reflection of a true variation in the profile or a terminology difference in technicians is uncertain. On this property, levels of extensive vegetative matter, often with a "swampy organic odor," were encountered consistently between 6 and 12 feet beneath the ground surface. In one case this layer is also termed "peat". This layer is again underlain by silty clays to the depth of excavation. At 400 Carroll Street the meadow-mat is reached consistently at between 11.5 and 16.5 feet beneath the ground surface. The further away from the canal that the tests were excavated, the deeper this meadow-mat was identified. This is a result of the properties rising to Bond Street. One test, SB-11, on the 400 Carroll Street property encountered "little shells" within the peat layer at between 8 and 12 feet below the ground surface. Without knowing the type of shell observed, the characterization of these as derived from human activity is problematic. The term "little" might suggest that they were small barnacles, possible attached to a log floating in the marsh. A few tests (notably 400 Carroll Street, SB-4) did not encounter a layer of organic material. The test pits and open excavations with profiles directly examined on the 400 Carroll Street property were not excavated deeper than 7 to 8 feet and did not reach the peat/meadow-mat layer. Although the exact elevations of the ground surface at each of the soil borings and monitoring wells is not

available, the various depths of the peat/meadow-mat layer appear consistently just above the mean sea level. This supports the interpretation of this layer as the marsh surrounding the Gowanus Creek prior to the canal's construction. The tests that did not yield evidence of a peat layer may have been located within small stream channels that, as visible in historic maps, crossed the meadow. Besides the reference to "little shells" no evidence of cultural materials was identified within or below the peat.

Gowanus Canal Remedial Investigation

This investigation was carried out by CH2M Hill in conjunction with the EPA directed CERCLA (Superfund) action of which the current study is a component (Figure 3.1) (CH2M HILL 2011). The study involved the excavation/construction of at least 45 monitoring wells in conjunction with the City of New York, the EPA and National Grid. The wells were placed in the immediate vicinity of the canal from Butler Street to the southwestern end of the canal, where it meets the Gowanus Bay. The boring logs for the majority of these wells were available for review. They had not previously been examined by an archaeologist.

The wells varied in depth from approximately 10 feet beneath the ground surface to almost 80 feet. When they make it past cultural obstructions the soil logs almost always end in alternating layers of sands and silts. The wells do not appear to have identified any soil profiles that would represent stable land prior to the construction of the canal. The only exceptions to this are the nine tests that encountered significant layers of gravels. These gravels appeared to shallow out progressing into the canal. Monitoring Well 46 (MW-46), near the canal at 10th Street, encountered gravels at 54 to 55 feet below the ground surface. MW-36, on the canal between Carroll and 1st Street, encountered gravels at 30 to 33 feet beneath the

ground surface. Finally, MW-01L encountered gravels at 14 to 17 feet beneath the current ground surface. A small cluster of adjacent tests, MW-03, MW-30, MW-34 and GC-SED-10, all yielded gravels in a limited area, albeit at different depths. It is possible that these gravel layers are part of the landform that would have risen above the marsh, running north northwest - south southeast from this area, between Sackett and Degraw Streets to the south southeast across the canal and down Nevins Street. This is the area that, according to historic map research, is located on or near the point of land that Brower's (Old Gowanus or Freeke's) Mill dam spanned. MW-34 also contained a large wood fragment at 16 feet beneath the ground surface and "stiff wood fragments" at approximately 25 feet. Given this tests location, these timbers may be related to the mill dam.

Peat deposits were identified in 15 of the monitoring well soil logs. These are generally dispersed through the project corridor where, according to historic map research, the marshy edges of the Gowanus Creek would have existed. The depths of these peat deposits vary from 9 to 23 feet below the ground surface. This is likely a combination of the varying levels of the modern ground surface, combined with a historic wetland that likely had small channels and pools, and the accurate identification of peat deposits and their depth in the excavation. Ten of the layers that contained peat were also noted as containing shell fragments (amongst the 18 soil borings that reported shell fragments). This association is not coincidence and possibly represents the deposition of these shells by humans on the marsh. Whether these activities were prehistoric or early historic is almost impossible at this stage to determine. One interesting coincidence is the occurrence in MW-37 of "abundant shell" in a clay sand layer at approximately 8 to 13 feet beneath the ground surface. This is the only time the quantity of shell is emphasized. According to historic map research this monitoring well is located at the mouth of Nicholas Vechte's ditch, near the current 4th Street

basin. This is potentially significant because Vechte leased the right to plant the ditch with oysters (Stiles 1869: 182).

Finally, MW-27, located within the 1st Street Basin, identified a thick layer of demolition fill to a depth of 21 feet below the ground surface. At the base of this fill the boring cut through a wood timber. It is very likely that this timber, significant enough to be noted in the boring log, represents the hull of sunken vessel that was noted as located in the basin just prior to its filling in the mid-20th century from historic aerial photographs (see Chapter 2).

Assessment of Geotechnical Information

This examination of soil boring, monitoring well and geotechnical trench records has contributed to the understanding of the historic Gowanus Creek landscape, served as a test for the historic map overlays, and identified several areas where there is potential to identify archaeological deposits. This examination has also brought to light some of the difficulties in taking disparate records types created for one (geological) purpose and analyzing them for another (archaeological) purpose.

The distribution of peat deposits, gravel layers, and in a very few cases stable ground surfaces reinforces the great extent of the marshland as compared to today's narrow channel. It helped to identify the landform on which Denton's Mill and Brower's Mill were located, between the 1st Street Basin and Degraw Street. The landform apparently continued north across the canal at Degraw and Sackett Streets. These areas are the most likely to contain pre-canal historic period archaeological deposits, and where early historic archaeological deposits are found, there are likely to be prehistoric archaeological deposits below. The borings may have even identified fragments of the Freeke's Mill dam, the hull of a sunken vessel lying

beneath demolition fill in the 1st Street Basin and potential shell middens at the intersection of the southeastern edge of the canal and Degraw Street and the mouth of the 4th Street Basin

The problems with the archaeological analysis of the borings are largely derived from the inconsistency of the method and the recorder. Several different boring, trenching and augering methods were used that allow for different degrees of soil identification. The terms used to describe the soils also appear to vary with the recorder. While it is apparent that soil boring records are very useful for determining generalized location, depth and presence/absence information, the methods lack the accuracy required for detailed archaeological analysis. If soil borings are conducted specifically for archaeological investigation in the future, which in such a densely developed and heavily contaminated location may be the only way to conduct Phase I subsurface testing, these borings should be conducted in a consistent method that emphasizes profile recovery by a single recorder with archaeological supervision.

cribwork, with portions below mean low water most likely dating to canal construction beginning *circa* 1866 and ending sometime in the early 20th century. The general design, materials, and workmanship of the canal walls through the waterway's industrial history retain much integrity from this era. The substantially intact 1904-1911 flushing system, although not a complete success during the industrial period of canal history, contributed to canal operations and maintenance of local health. Two bridge crossings, at Carroll Street and Third Avenue, retain most or all of their integrity from the period of active canal industrial use. The other four local bridges no longer have this character, and the two high-level crossings have limited direct association with the canal except as part of a more general set of construction obstacles within the former Gowanus Creek drainage.

C. HISTORIC SITES AND STRUCTURES ALONG THE CANAL (FIGURE 3.2)

1. Site of Denton's Mill (Yellow Mill)

Denton's Mill was mapped as late as 1849 (and sketched in 1850) just before it was engulfed by onrushing development. It was about a half-block east of the main stem of the canal, south of Carroll Street.

The site today is occupied by a modern, three-story metal-sided building (Plate 3.17). Fire insurance maps show that by 1886 the site was occupied by the Watson and Pittinger Lumber Yard (whose facility also occupied the opposite bank of the canal, below Carroll Street) and the "Philp" (*sic*) Paper Mill; the latter named in 1889 by the Gowanus Canal Commission as the canal's sixth greatest polluter. By 1904, the paper mill had been replaced by the Loomis lumberyard; in 1915 this company also occupied what had been Watson and Pittinger's. The 1938 map shows what appears to be the present building on the Watson and Pittinger's site, its occupant engaged in the manufacture of printing ink, and the paper mill site

held a sand and stone dealer. By 1950 the sand and stone dealer was gone. The 1969, 1977, 1986 and 1996 maps show a plastics company in the ink manufacturer's building.

Given the site's history of redevelopment, not surprisingly no surface indications of the mill or dam were noted. The building on the site is architecturally undistinguished.

2. Site of Freeke's Mill (Old Gowanus Mill)

By reference to the maps discussed in the previous chapter, and information provided by 19th century historians, Freeke's Mill is believed to have stood just north of Union Street, probably either where the canal main stem now flows and/or on the east bank. The site is shown in Plate 3.18.

The mill was standing at the time of Lossing's visit in 1850, but he refers to its destruction in the past tense. The site was mapped in 1886 as "Adams' Lime, Brick and Lath Yard," virtually devoid of buildings. By 1904 there were buildings on the site set back from the canal; the immediate bank held "lumber in piles." Additional detail on the 1915 map reveals this to have been a packing case manufacturer. The 1950 fire insurance map shows a "Beverage Warehouse" on the canal bank; this is apparently the structure still on the site.

As is the case at the site of Denton's Mill, no surface indications of the former presence of Freeke's Mill were noted. The structure is an undistinguished brick building, approximately two stories, with a band of steel-framed windows.

Chapter 4

CONCLUSIONS AND RECOMMENDATIONS

A conclusion of this archaeological feasibility assessment is that sites of potential archaeological interest exist within the Gowanus Canal Study Area. These include an area of prehistoric potential from the 1st Street Basin up to Degraw Street, the sites of three tide mill complexes, two corridors of battle action from the Battle of Brooklyn, and two potential sites of soldier burials (Figure 4.1). A geotechnical evaluation of soil borings indicates that the likelihood for these sites to have survived intact is very low to low but not entirely without potential. Their state of integrity is unconfirmed, but if intact they will be deeply buried at depths of at least 15 feet at the edges of the canal, with the greatest likelihood of intact survival existing just outside of the canal bulkheads (about 20 feet from the edge of the canal). Moving away from the canal, any surviving cultural stratigraphy generally will be buried less deeply (based on documented patterns of filling in the former tidal marshes) and have a much higher likelihood of having been disturbed by more than 150 years of intensive urban development.

Of greater certainty are the survival of archaeological resources associated with the Gowanus Canal itself and the industries that grew beside it in the mid- to late 19th century. The canal and its basins include over two miles of timber cribwork bulkheads that have been identified as part of the canal's historic fabric and are likely to contain important information about the canal's design and construction. Within the canal itself are the remains of at least four shipwrecks and a high likelihood that several other ship hulls have survived within the fill of the 1st Street Basin. Canal-side industrial archaeology sites also have the potential to yield information related to specific industries and

research questions about those industries' activities and their impact on the natural and human environment.

The following list of recommendations has been developed to assist in developing plans for further archaeological study and alternatives to avoid or mitigate impacts on potential archaeological resources within the Study Area. This list is based on the current understanding of potential remediation activities that may include dredging of the canal channel; removal, stabilization or replacement of bulkheads; re-opening and remediation of the 1st Street Basin; and remediation of parcels adjacent to the canal. These recommendations are provided as general concepts for further discussion and refinement in the next phases of the Section 106 consultation process since at this time no specific remediation technologies or methodologies have been selected by the EPA.

1. Definition of Area of Potential Effect (APE) for Archaeological Resources and Targeted Research.

Further in-depth analysis of archaeological sensitivity will be facilitated by definition of the archaeological APE. At this time the extent of proposed ground disturbances within and adjacent to the canal are undetermined. Once the preferred remediation alternatives and methodologies are selected, the extent of this APE will be clearer, thus facilitating a detailed analysis focused within a specified distance of the edges of the canal or within specific parcels of land identified for remedial work. Additional targeted research, relying on historic maps, should be used to identify any specific industrial archaeological features that may lie within the APE. This will be particularly useful for defining the potential impacts on resources associated with the 50 to 60 known,

mid- to late-19th-century, industrial sites adjacent to the canal. The goal of this research should be to make a determination if any industrial archaeology features merit further investigation or documentation. At this time, the potential of these resources to meet National Register eligibility criteria is considered to be low, although there are some sites that require further investigation due to higher levels of interest or lack of sufficient in-depth analysis to make a fully justified assessment of potential. Special care should be taken around properties within the APE that have been previously identified as contributing to the Gowanus Canal Historic District (BRT Power House, Pumping Station, Carroll Street Bridge, Third Avenue Bridge, American Can Company Complex, and S.W. Bowne Grain Storehouse) since subsurface features at those locations may be related to these properties' significance under National Register Criteria A and C.

2. Additional Soil Borings near the 1st Street Basin.

The area between the 1st Street Basin, both to its south and extending north to Degraw Street, where a large concentration of shells was identified in the soil boring logs, potentially represents an area of prehistoric and historic archaeological potential. The one soil boring available from this area (located in Carroll Street) suggests the possibility of a soil horizon that may represent the survival of a stable, pre-canal landform that could contain intact cultural stratigraphy associated with the Denton's Mill complex (based on historic maps). It is very likely that prehistoric archaeological deposits exist below this early historic site and elsewhere on this landform, given its formerly advantageous location on a stable neck of land within the surrounding marsh. Soil borings at a regular (possibly 20-foot) interval, set in a linear transect between 20 and 30 feet behind the bulkheads to a depth of at least 30 feet below the existing ground surface may help to create a soil profile across this area that would help define the edge, extent and degree of intactness of this landform. This information would greatly aid any future archaeological assessment of this area.

These borings should be done with a geotechnical technician, geomorphologist and an archaeologist. Soil borings would only become desirable from the standpoint of compliance if it is decided to re-open the 1st Street Basin and replace its bulkheads.

3. Monitoring of Bulkhead Removal/Stabilization.

Planning for the archaeological monitoring of the canal's bulkhead removal and stabilization is recommended. The monitoring plan should include provisions for documenting the design and construction of the canal's timber cribwork and preparing measured drawings as appropriate for inclusion in the HAER documentation package. It is suggested that this monitoring include sampling of the timber bulkheads at locations that were bulkheaded in the *circa* 1853-54 construction episode and the 1866-70 construction episode. Additionally, the monitoring plan should address impacts on any potential industrial archaeological resources identified following the targeted APE analysis recommended above. If it is decided to open the 1st Street Basin, the monitoring plan should also address the monitoring of the potential maritime resources identified by side-scan sonar in 2010 and the buried ships reportedly located in the basin. Again, the potential of these resources to meet National Register eligibility criteria is considered to be low but insufficient information exists at this time to make a fully justified assessment, especially for the buried ships.

4. Completion of the Gowanus Canal HAER Documentation Package.

It is recommended that the final documentation package be completed to Documentation Level I with measured drawings and large-format photographs. This documentation level is based on the canal's high level of significance and the existence of very few original plans or drawings. The historic narrative for the HAER documentation was prepared as part of this study (Appendix B) and includes a list of recommended historic plates, drawings and photographs. Twelve historic plates, three measured drawings (plan, cross section, pumping sta-

Chapter 5

CONCLUSIONS AND RECOMMENDATIONS

The Gowanus Canal from Butler to Percival Streets, along with selected associated bridges and industrial buildings and the sites of two filled basins, is recommended as being eligible for inclusion in the National Register of Historic Places as a historic district.

Possible "bank softening" project actions could have an adverse effect on this resource. For any canal sections subject to such action, the following steps are recommended:

- ❖ detailed photographic documentation at low-water conditions to the standards of the Historic American Engineering Record or other standards acceptable to the New York State Historic Preservation Office and the Army Corps of Engineers;
- ❖ review of project plans to identify the potential for loss of significant information on fill materials or bulkhead components; and
- ❖ archaeological identification and recovery of significant data in bank softening project areas, either by limited pre-construction excavation, or by in-construction monitoring.

Bank softening at locations adjacent to contributing buildings (the pumping station, the three bulk material handlers, and the former power generating station) would diminish their settings and is best avoided if possible. If avoidance is not feasible, mitigation activities should be expanded to include photographic documentation of the contributing building, emphasizing its relationship to the adjacent bulkhead.

Habitat creation (capping the basins with clean fill and planting vegetation) has the potential to adversely affect part of the eligible resource by eliminating or visually compromising basins, depending on the height of the fill with respect to the bulkheads. As

above, any such work should be preceded by detailed photographic documentation of the entire basin and its bulkheads at low-water conditions to the standards of the Historic American Engineering Record or other standards acceptable to the New York State Historic Preservation Office and the Army Corps of Engineers.

Provision should be made for a program of historic interpretive signage at public access points along the canal. These signs should be developed in consultation with the New York State Historic Preservation Office, the Army Corps of Engineers and other interested parties.

Finally, it will be recalled that while the approximate locations of Denton's and Freeke's mills are known, the presence and/or integrity of any buried remains is not. Any work involving excavation in these areas should be accompanied by archaeological monitoring during construction.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Archaeology

As a function of the Draft Environmental Impact Statement (DEIS) for the proposed Gowanus Canal Corridor Rezoning Project, an assessment for potential archaeological resources was undertaken. In accordance with City Environmental Quality Review (CEQR) guidelines, the initial task established the archaeological Area of Potential Effect (APE) that may be affected by the various components of the proposed action. The New York City Landmarks Preservation Commission (LPC) identified 16 lots within the proposed project area possessing potential for intact archaeological deposits. A Documentary Study was conducted charting the ownership, occupation history, and, where relevant, the development of the Gowanus Canal bulkhead for each lot within the archaeological APE. The 16 LPC-selected lots consist of the following Blocks and Lots:

Block 405, Lot 7 (Projected Development Site A);
 Block 405, Lot 8 (Potential Development Site 1);
 Block 417, Lot 21 (Potential Development Site 7);
 Block 424, Lot 1 (Projected Development Site D);
 Block 424, Lot 20 (Projected Development Site D);
 Block 431, Lot 17 (Projected Development Site D);
 Block 438, Lot 3 (Projected Development Site J);
 Block 438, Lot 7 (Projected Development Site J);
 Block 439, Lot 1 (Potential Development Site 19);
 Block 445, Lot 11 (Projected Development Site I);
 Block 445, Lot 20 (Projected Development Site I);
 Block 452, Lot 15 (Projected Development Site T);
 Block 453, Lot 1 (Projected Development Site U);
 Block 453, Lot 21 (Projected Development Site U);
 Block 462, Lot 14 (Projected Development Site Z);
 Block 972, Lot 1 (Potential Development Site 40)

The documentary study concluded that each of these lots or portions of each of these lots had the potential for intact archaeological deposits (see Table 27). Additionally, in an environmental review letter issued by the City of New York Landmarks Preservation Commission (Santucci 2009), LPC identified two additional locations that possessed the potential to contain potentially significant archaeological resources. These two locations are noted at the end of Table 27.

Table 27: Archaeological Potential for Each Lot within the Gowanus Rezoning Archaeological APE

Block, Lot	Development Site	Potential	Description of Archaeological Potential
405, 7	Part of Projected Site A	Nineteenth Century Historic Deposit	A dwelling appears on the front, western portion, of the lot by 1855. Federal Census and city directory research indicate that the Burns household may have occupied this parcel from 1852 to 1860. This occupation predates the installation of municipal water and sewer lines. A structure remained on the western frontage of the lot until 2006. The rear, eastern portion, of lot, which experienced minimal twentieth century development, has the potential to contain mid to late nineteenth century historic period deposits including shaft features.
405, 8	Part of Potential Site 1	Nineteenth Century Historic Deposit	A dwelling appears on the front, western portion, of the lot by 1855. Federal Census and city directory research indicate that the Murray household may have occupied this parcel from 1857 to 1865. This occupation predates the installation of municipal water and sewer lines. A structure remained on the western frontage of the lot until 1951. The rear, eastern portion, of lot, which experienced minimal twentieth century development, has the potential to contain mid to late nineteenth century historic period deposits including shaft features.

Block, Lot	Development Site	Potential	Description of Archaeological Potential
438, 7	Projected Site J	Nineteenth Century Bulkhead Deposits	Early construction of the Gowanus Canal began from 1851 to 1854. During this period, the canal walls consisted of timber sheet piles. The Canal was completed between 1866 and 1870. This period of construction most likely involved creation of timber cribwork bulkheads. Early timber pile walls may have also been removed and replaced or repaired with the timber cribwork technology. According to Hunter, timber cribwork was the prominent form of bulkhead construction within the Port of New York from the nineteenth century up until 1930. The visible portion of the Lot 7 bulkhead consists of continuous timber cribwork. The presence of visibly intact cribwork within the canal wall suggests that the submerged portions of the wall may also be intact cribwork. Therefore, the eastern frontage of Lot 7 is considered sensitive for nineteenth century bulkhead deposits.
439, 1	Part of Potential Site 19	Nineteenth Century Bulkhead Deposits	Early construction of the Gowanus Canal began from 1851 to 1854. During this period, the canal walls consisted of timber sheet piles. The Canal was completed between 1866 and 1870. This period of construction most likely involved creation of timber cribwork bulkheads. Early timber pile walls may have also been removed and replaced or repaired with the timber cribwork technology. According to Hunter (2004), timber cribwork was the prominent form of bulkhead construction within the Port of New York from the nineteenth century up until 1930. Although the visible bulkhead frontage of Lot 1 appears to be a steel sheet pile construction, this segment may rest upon a timber cribwork foundation. Therefore, the western frontage of Lot 1 is considered sensitive for nineteenth century bulkhead deposits.
445, 11	Part of Projected Site I	Nineteenth Century Bulkhead Deposits	Early construction of the Gowanus Canal began from 1851 to 1854. During this period, the canal walls consisted of timber sheet piles. The Canal was completed between 1866 and 1870. This period of construction most likely involved creation of timber cribwork bulkheads. Early timber pile walls may have also been removed and replaced or repaired with the timber cribwork technology. According to Hunter, timber cribwork was the prominent form of bulkhead construction within the Port of New York from the nineteenth century up until 1930. The visible portion of the Lot 11 bulkhead consists of a poured cement retaining wall resting on top of an intact timber cribwork foundation. The presence of visibly intact cribwork within the canal wall suggests that the submerged portions of the wall may also be intact cribwork. Therefore, the eastern frontage of Lot 11 is considered sensitive for nineteenth century bulkhead deposits.
445, 20	Part of Projected Site I	Nineteenth Century Bulkhead Deposits	Early construction of the Gowanus Canal began from 1851 to 1854. During this period, the canal walls consisted of timber sheet piles. The Canal was completed between 1866 and 1870. This period of construction most likely involved creation of timber cribwork bulkheads. Early timber pile walls may have also been removed and replaced or repaired with the timber cribwork technology. According to Hunter, timber cribwork was the prominent form of bulkhead construction within the Port of New York from the nineteenth century up until 1930. The visible portion of the Lot 11 bulkhead consists of a continuous intact timber cribwork foundation. The presence of visibly intact cribwork within the canal wall suggests that the submerged portions of the wall may also be intact cribwork. Therefore, the eastern frontage of Lot 20 is considered sensitive for nineteenth century bulkhead deposits.
452, 15	Part of Projected Site T	Nineteenth Century Bulkhead Deposits	Early construction of the Gowanus Canal began from 1851 to 1854. During this period, the canal walls consisted of timber sheet piles. The Canal was completed between 1866 and 1870. This period of construction most likely involved creation of timber cribwork bulkheads. Early timber pile walls may have also been removed and replaced or repaired with the timber cribwork technology. According to Hunter, timber cribwork was the prominent form of bulkhead construction within the Port of New York from the nineteenth century up until 1930. The visible portion of the Lot 15 bulkhead consists of a continuous intact timber cribwork foundation. The presence of visibly intact cribwork within the canal wall suggests that the submerged portions of the wall may also be intact cribwork. Therefore, the eastern frontage of Lot 15 is considered sensitive for nineteenth century bulkhead deposits.

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-K

2/25/2009

Project number

Date received

Project: GOWANUS CANAL CORRIDOR REZONING (supplement)

Archaeology review only.

Properties with no archaeological significance:

BBL 3004540004

The following properties possess archaeological significance:

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century construction of the Gowanus Canal bulkhead for the following Borough, Block and Lot location within the study area: new development site "U". Accordingly, the Commission recommends that if this action may result in impacting this resource, that it be appropriately documented in consultation with LPC.



2/27/2009

SIGNATURE

DATE

25155_FSO_DNP_02262009.doc

The tallest elements of the proposed development—the rooftop mechanical equipment of the two tower portions—would reach a maximum height of up to approximately 150 feet, and could therefore cast shadows of up to approximately 645 feet. Using this distance as a radius, a perimeter was drawn around these two elements of the proposed development. The other elements of the proposed development would reach heights of approximately 82 feet, 71 feet, and 60 feet. These elements could cast shadows of up to 353 feet, 305 feet and 258 feet, respectively. Using these distances, perimeters were drawn around the remaining elements of the proposed development. All the resulting perimeters were then merged, to show the combined longest shadow study area for the As-of-Right Project.

Figure 11 shows the results of the Tier 1 assessment. As with the Special Permit Project, no publicly accessible open spaces or sunlight-dependent features of historic resources are located within the longest shadow study area. A portion of the Gowanus Canal waterway falls within the longest shadow study area. However, the FEIS found that the portion of the Gowanus Canal adjacent to the Project Site is an environmentally stressed condition, with contaminated sediments, limited opacity and a poor benthic community structure as a result of a history of heavy industrial uses. Any species using the waterway must be tolerant of highly variable conditions. Therefore, the Gowanus Canal would not be considered a natural feature that is significantly sensitive to sunlight intensity. In conclusion, no sunlight-sensitive resources could be affected by the As-of-Right Project, and these minor changes in massing would not result in any significant adverse shadows impacts.⁸

HISTORIC RESOURCES

There would not be any new significant adverse impact on Historic Resources as a result of the As-of-Right Project. As with the Special Permit Project, the As-of-Right Project would construct a new steel sheet pile bulkhead along the length of the eastern boundary of the Project Site either in place or outside of the existing, archaeologically sensitive bulkhead to make possible the construction of the proposed open space along the canal. The installation of the new bulkhead could require removal of portions of the existing one. In addition, two new stormwater outfalls would be constructed through the existing bulkhead. As noted in the 2009 FEIS, the New York City Landmarks Preservation Commission (LPC) has determined that the bulkhead rehabilitation work and stormwater outfall installation would adversely impact portions of the bulkhead at the Project Site. Therefore, an archaeological field investigation would be undertaken in coordination with LPC that would document the extent and significant characteristics of the Gowanus Canal bulkhead. This archaeological documentation would serve as mitigation of the adverse impact to the bulkhead under CEQR. The field investigation would occur either in advance of or in concert with the bulkhead reconstruction and stormwater outfall installation. An Archaeological Testing Protocol in compliance with the LPC Guidelines for Archaeological Work in New York City would be prepared and implemented in coordination with LPC. In addition, as requested by SHPO, an Unanticipated Discovery Plan for both human and non-human remains would be prepared in consultation with SHPO and implemented during projected-related construction at the site.

The modified program would not alter the conclusions of the 2009 FEIS, and would not result in any new impacts.

URBAN DESIGN AND VISUAL RESOURCES

The As-of-Right Project would not have any adverse impacts on Urban Design or Visual Resources. The massing and footprint with the As-of-Right Project would generally be the same as the Special Permit Project that was studied in the 2009 FEIS, with a few minor variations. The massing with the As-of-Right Project would be distributed to maintain the low-rise character of the Bond Street frontage and the mid-block portions of Carroll, 1st, and 2nd Streets, with taller mid-rise elements (reaching a maximum height

⁸ Shadows on project-generated open space are not considered significant under CEQR (*CEQR Technical Manual*, January 2012 edition, page 8-2).

Carr, Brian

From: Joseph Alexiou <joseph.alexiou@gmail.com>
Sent: Wednesday, October 08, 2014 5:24 PM
To: Carr, Brian
Subject: Commentary on EPA/Lightstone Agreement

Dear Brian,

I hope you are well. Here is my commentary regarding the settlement between the Lightstone Group and the EPA:

"I applaud the efforts of the EPA in taking the initiative to plan for the long-term stability and cleanliness of the Canal by pushing along this settlement.

By taking the steps to work out a proper cleanup of the land--without which, a re-pollution of the Gowanus was most certain—and the installation of proper bulkheads, the EPA has done more than the City of New York in ensuring the health of our waterway, and the community at large.

However, I will add that this fact, that the Gowanus EPA team determined that the Lightstone Group cleanup to be insufficient, to be indicative of how non-comprehensive and poorly executed any previous pollution assessments have been on this site.

The groups primarily responsible for such assessments and their interpretation are the City of New York, and more specifically, the Department of City Planning. How can the DCP stand behind it's previous allowances of the Toll Bros., and now Lightstone, to be built upon land which is so polluted that the Federal Govt has to sue a private developer in order to get him to comply?

Isn't it therefore possible that the cleanup efforts, no matter how comprehensive, indicate that this site is unfit for residential development?

It seems the lack of oversight, if not willing blindness to the pollution has caused a series of real estate decisions that the City of New York should be taken to task for. If this is not the case, I cannot see how to resolve the EPA's findings versus that of the city's (or any developer-hired third party assessor), except to say that the city's was insufficient, and, most likely, skewed in the favor of the developer's desire to build, as opposed to the community's desire for a guaranteed safe and clean community.

I applaud the EPA for their efforts, but I urge them to consider further the changes that Lightstone plans to make to the grade of the land, the use of the street end at 1st Street, and help us to determine if Lightstone indeed has the right to build this poorly-conceived scheme at all.

Thank you,

Joseph Alexiou"

Carr, Brian

From: Marlene Donnelly <studio460@msn.com>
Sent: Wednesday, October 08, 2014 2:39 PM
To: Carr, Brian
Cc: JoeAndLinda393@aol.com; Tsiamis, Christos; Mark Karwowski
Subject: Comments for Lightstone/EPA agreement

Brian,

My previous email, while in context of the statement submitted by Linda, was intended to be an additional comment on the Lightstone Agreements which the EPA opened for public submissions.

Please note that Linda's comment letter reflected each detail agreed upon in the September FROGG meeting, with nine people in attendance.

Again I would like to submit the following comment:

The September 2014 EPA agreement with Lightstone (LSG) needs additional clarification. The EPA has stated at the September CAG meeting that the EPA agreement does not endorse land use, nor does the EPA agreement give authorization for the changes to land grade and bulkhead as represented in the drawings that accompany this agreement, as those areas are regulated by others. Yet this is not stated with clarity in the agreement itself. I ask that such a qualifying statement be added to the agreement.

Without such statement, and given that the agreement includes drawings for the proposed project development, there appears to be an implied EPA authorization of that project design, which includes a taking of the public rights to the water front and the water way itself, as depicted in the accompanying drawings included with the agreement.

Specifically, it must be made clear that the agreement does not constitute any EPA endorsement of the changes to land grade and bulkhead which have here been under the regulated of others. Also, clarification about this agreement's authorization as it relates to qualifying the required compensation of the taking of New York State coastal waters for the bulkhead construction, needs to be addresses.

Thank you,
Marlene Donnelly

Carr, Brian

From: Diane Buxbaum <ddbuxbaum@earthlink.net>
Sent: Tuesday, October 07, 2014 8:16 PM
To: Carr, Brian
Subject: Formal Statement on Gowanus Canal Superfund Site, Index Number: CERCLA-02-2014-2004 by Diane Buxbaum

To: Brian Carr, USEPA Region 2

October 7, 2014

Comments: Gowanus Canal Superfund Site,
Index Number: CERCLA-02-2014-2004

I want to support all of the comments submitted September 22nd by Linda Mariano on behalf of FROGG (Friends and Residents of Greater Gowanus). I want to reiterate what was requested initially, an extension of the 30 day comment period.

The issues raised in that comment letter: the need to undertake an archeological dig in the area of the bulkheads, the lack of any plan on the part of Lightstone to protect the Carroll Street Bridge and the Carroll Street Bridge Operator House. That the proposed elevation of the end of 1st Street will take away access to the waterway, both physically and visually.

The Public Trust Doctrine is applicable here. It does apply to navigable waters and the construction proposed here would alter and diminish the access to the waters by a private property owner.

It is also my concern that under wetlands definition, there will be a loss of wetlands in the area of the bulkheads with no proposed equivalent creation.

The fact that EPA agrees never to sue Lightstone in the future, even if additional toxins are discovered on the site, I believe is an abrogation of responsibility in case such contaminants are discovered. The site evaluation may be thorough, but can anyone guarantee that all areas on contaminants have been identified? What if the amount of contaminated soil turns out to be greater than the agreed upon 17,500 cubic yards. What levels of residual contamination will remain? Lightstone has taken on ownership of this land knowing that contaminants exist. Why is EPA agreeing to release them from any future obligation?

And finally the document should be revised to clearly indicate that EPA is not supporting the proposed bulkhead and elevation modifications.

Submitted by Diane D. Buxbaum, MPH, resident of Carroll Gardens, 365 Sackett St., Brooklyn, NY 11231



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